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THE HONORABLE FREDERICK P. CORBIT

5 **UNITED STATES BANKRUPTCY COURT**
6 **EASTERN DISTRICT OF WASHINGTON**

7 In re:) Case No 18-03197-FPC11
8)
9 GIGA WATT INC.) **NOTICE OF PERFECTION OF LIEN**
10) **PURSUANT TO SECTION 546(b)**
11)
Debtor.)

12 **TO: CLERK OF THE COURT**

13 **AND TO: GIGA WATT, INC., Debtor**

14 **AND TO: WINSTON & CASHATT, LAWYERS, the Debtor's attorney**

15 **AND TO: U.S. TRUSTEE, Trustee**

16 COMES NOW Neppel Electrical & Controls, LLC, a Washington corporation ("Neppel")
17 who, pursuant to 11 U.S.C. § 546(b), files this Notice of the perfection, maintenance and
18 continuation of perfection of that lien and privilege against the interest of Giga Watt, Inc.
19 ("Debtor") in the commercial real property described herein, together with all fixtures and
20 improvements thereon pursuant to the laws of the State of Washington. In support of this Notice,
21 Neppel represents the following:

22 1. Neppel, a duly licensed and registered electrical and construction contractor in the
23 State of Washington, furnished labor, materials and equipment in connection with the construction
24 of a computing facility situated on the real property described herein. The principal indebtedness
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NOTICE OF PERFECTION OF LIEN PURSUANT TO SECTION 546(b) - 1

1 in connection with the unpaid amounts due and owing by Debtor to Neppel is not less than
2 \$479,959.63, exclusive of interest, attorney's and costs. Neppel's claim is secured by the statutory
3 lien and privilege described below.

4 2. Neppel timely recorded a Claim of Lien under Auditor's Recording No. 3214623,
5 records of the Auditor of Douglas County, Washington ("Lien") against the interest of Debtor in
6 the following described real property, together with all fixtures and improvements thereon and the
7 proceeds thereof ("Subject Property"):

8 **Parcel 1:**

9 Lots 10 and 12, Pangborn Airport Business Park, Binding Site Plan 12-01
10 recorded under Auditor's File No. 3176418, records of Douglas County,
11 Washington.

12 APN: 76600001000

13 **Parcel 2:**

14 Lots 11 and 13, Pangborn Airport Business Park, Binding Site Plan 12-01
15 recorded under Auditor's File No. 3176418, records of Douglas County,
16 Washington.

17 APN: 76600001100

18 3. Neppel is required under applicable state law to file suit to perfect, maintain and
19 continue perfection of the Lien and to foreclose thereon within eight (8) months of the date upon
20 which the Lien was recorded. **Neppel hereby gives Notice in lieu of commencement of such**
21 **action to perfect, maintain and continue perfection of the interest of Neppel in the Subject**
22 **Property pursuant to 11 U.S.C. § 546(b), including, but not limited to, the filing of a lawsuit**
23 **to enforce and/or foreclose on the Lien and the recording of any Lis Pendens. By virtue of**
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1 this Notice and applicable law, Neppel demands adequate protection of its interests in the
2 Subject Property.

3 4. A copy of the Lien is attached hereto as Exhibit "A".

4 5. Neppel reserves the right to supplement and/or amend this notice and all rights
5 under applicable law.

6 DATED this 6th day of December, 2018.

7 RIES LAW FIRM, P.S.

8
9 /s/ Christopher F. Ries

10 Christopher F. Ries, WSBA #23584
11 Attorney for Neppel Electrical & Controls, LLC,
12 Creditor
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CERTIFICATE OF SERVICE

I certify that on December 6, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties who have appeared.

RIES LAW FIRM, P.S.

/s/ Christopher F. Ries

Christopher F. Ries, WSBA #23584

Attorney for Creditor Neppel Electrical & Controls,

LLC

THIS SPACE PROVIDED FOR RECORDERS USE
Please print or type all information

RETURN TO:

RIES LAW FIRM, P.S.
P.O. Box 2119
Moses Lake, WA 98837

ORIGINAL

Document Title: **CLAIM OF LIEN**

Auditor's File No. of document to be released or assigned: N/A

Assessor's property tax parcel or account number: 76600001000 and 76600001100

Claimant: 1. NEPPEL ELECTRICAL & CONTROLS, LLC, a Washington limited liability company

Respondent: 1. GIGA WATT, INC., a Washington corporation, Chelan and Douglas County Port Districts, Port of Douglas County, Port of Chelan County

Legal Description (lot, block, plat or section, township, range)

Parcel 1:

Lots 10 and 12, Pangborn Airport Business Park, Binding Site Plan 12-01 recorded under Auditor's File No. 3176418, records of Douglas County, Washington.

Parcel 2:

Lots 11 and 13, Pangborn Airport Business Park, Binding Site Plan 12-01 recorded under Auditor's File No. 3176418, records of Douglas County, Washington.

EXHIBIT "A" TO NOTICE OF PERFECTION OF LIEN

NEPPEL ELECTRICAL & CONTROLS,)	CLAIM OF LIEN
LLC, a Washington limited liability)	
company,)	
)	
Claimant,)	
)	
vs.)	
)	
GIGA WATT, INC., a Washington)	
corporation)	
)	
Respondent.)	
)	

NOTICE IS HEREBY GIVEN that the person named below claims a lien pursuant to Chapter 60.04 RCW. In support of this lien the following information is submitted:

1. Name of Claimant: Neppel Electrical & Controls, LLC, a Washington limited liability company

Telephone No.: (509) 766-3990

Address: 4703 Kelly Place
Moses Lake, Washington 98837

2. Date on which the Claimant began to perform labor, provide professional services, supply material or equipment on the date on which employee benefit contributions became due:

November 30, 2018.

3. Names of Persons Indebted to the Claimant:

Giga Watt, Inc.
1 Campbell Parkway
East Wenatchee, Washington

RIES LAW FIRM, P.S.

4. Description of the Property Against Which A Lien is Claimed:

Parcel 1:

Lots 10 and 12, Pangborn Airport Business Park, Binding Site Plan 12-01 recorded under Auditor's File No. 3176418, records of Douglas County, Washington.

APN: 76600001000

Parcel 2:

Lots 11 and 13, Pangborn Airport Business Park, Binding Site Plan 12-01 recorded under Auditor's File No. 3176418, records of Douglas County, Washington.

APN: 76600001100

5. Name of Owner or Reputed Owner:

Chelan and Douglas County Port Districts, Port of Douglas County, Port of Chelan County, and Giga Watt, Inc.

6. The last date on which the labor was performed; professional services were furnished; contributions to an employee benefit plan were due; or material or equipment was furnished:

June 14, 2018.

7. Claimant claims a lien upon the real property in the sum of \$479,959.63, together with interest thereon at the rate of twelve percent (12%) per annum and all attorney's fees and costs.

8. If the Claimant is the assignee of this claim so state here:

The Claimant is not the assignee of this claim.

DATED this 3rd day of August, 2018.

NEPPEL ELECTRICAL & CONTROLS, LLC,
a Washington limited liability company

By: Mary Moncada
Mary Moncada, Member
Claimant

Telephone No.: (509) 766-3990

Address: 4703 Kelly Place
Moses Lake, Washington 98837

CERTIFICATION

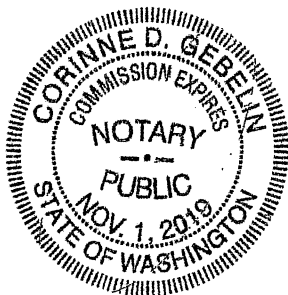
STATE OF WASHINGTON)
) ss.
County of Grant)


MARY MONCADA, being sworn, says:

I am a Member of NEPPEL ELECTRICAL & CONTROLS, LLC, a Washington limited liability company, claimant above-named. I have read or heard the foregoing claim, read and know the contents thereof, and believe the same to be true and correct and that the claim of lien is not frivolous and is made with reasonable cause, and is not clearly excessive under penalty of perjury.

Mary Moncada
Mary Moncada

SUBSCRIBED AND SWORN TO before me this 3rd day of August, 2018, by Mary Moncada.




 (Signature) Corinne D. Gebelin
 Notary Public in and for the State of Washington
 Residing at Moses Lake, Washington
 My commission expires: 11-01-19